

AGENDA - TROY PLANNING COMMISSION MEETING WEDNESDAY, MARCH 27, 2019, 3:30 P.M. CITY HALL, SECOND FLOOR COUNCIL CHAMBERS

- 1. Roll Call
- 2. Minutes 3-13
- 3. Villages of Concord, Preliminary Plan

Owner: RL Hawk, LLC Applicant: Roger Hawk

- -Remove from Table
- -Commission to make decision
- Historic District Application, 126 S. Plum Street, for repainting of exterior of property.

Owner: Terry and Kathy Smith (current owner)
Applicant: Matthew Denius (future owner)

- -Commission to make decision
- 5. Planned Development 44 Peters Avenue

for the Ustorit Store and Lock Storage Building

Owner-Applicant: Jason Marko

- a. Application for Final Development Plan
- -Commission to make decision
- b. Application for Final Record Plan
- -Commission to provide recommendation to Council
- 6. Other

Note to Commission members:

If you will not be attending, please email or call Sue

A regular meeting of the Troy Planning Commission was held Wednesday, March 13, 2019, at 3:30 p.m. in Council Chambers, second floor, City Hall, with Chairman Alan Kappers presiding. Members Present: McGarry, Snee, Beamish, Titterington, Wolke and Mahan; Zoning Inspectors Brandon and Watson; and Assistant Development Director Davis.

The minutes of the February 27, 2019, meeting were approved upon motion of Mr. Titterington, seconded by Mr. McGarry.

PRELIMINARY PLAN, VILLAGES OF CONCORD; PROPOSED BY R L HAWK, LLC.

REMOVE FROM TABLE. Upon motion of Mr. Titterington, seconded by Mayor Beamish, the Villages of Concord was removed from the table by unanimous roll call vote.

Staff reported: the Villages of Concord plat (parcels # D08-103660 and D08-059144, PT Inlot 7189) is located south of Wayne Street and north of the of the Kroger Development (State Route 55); properties are zoned a mixture of R-5 Single-Family, R-6 Single-Family and R-7 Multiple-Family Residential; in 2000, the Villages of Concord subdivision was approved by the Planning Commission and City Council consisting of a layout that encompassed a private condo community; a portion of the development was completed in the mid-2000s and now the developer is requesting to finish developing the subdivision with single-family lots.

This item had been tabled at the previous meeting so that the Director of Law could be asked about the authority of Mr. Hawk to act on behalf of the HOA. Staff had also been asked to provide a communication to the property owners of the Village of Concord to make sure they were aware of the proposal submitted. The Commission received the following communication from the Director of Law:

"As a general rule, the Board of Directors/Trustees of a HOA have the legal authority to grant easements. This is reflected in both the Ohio Revised Code and the Declaration establishing the Villages of Concord HOA. It is my understanding that the applicant has provided a resolution stating that the Applicant has provided and election of board members, the appointment of initial board members, and the succession of board members when elections are not held, I cannot provide a legal opinion regarding whether Mr. Hawk or the HOA has complied with its internal regulations. If he is acting on behalf of the duly elected/appointed Board of Trustees, he has the authority to grant the easement. Further, a misrepresentation of his authority could place Mr. Hawk in legal jeopardy with the HOA.

Should the other members of the HOA believe that Mr. Hawk is not duly authorized to act on behalf of the HOA to grant an easement, the members could pursue any number of legal challenges which could include an injunction. It is my understanding that the HOA members have been informed of this application and the proposed easement. It would be my suggestion to act upon the merits of the application. Any allegation of an abuse of authority could be handled in a different forum."

Based on the response of the Director of Law, staff recommended approval of the preliminary plan. Discussion.

- Mr. McGarry stated his concern that new residential construction will have to have fire sprinklers as that is a burden on the buyers, and the sprinklers were not required prior to a roadway vacation that created the lack of access, and he would like to see concerns about access resolved prior to the Commission considering this further.
- Mr. Davis commented that the sprinklers will meet the fire code so development could continue, that from the Fire Department viewpoint it is either provide another access or have sprinklers in any future construction.
- Mr. Titterington asked Mr. McGarry if he wanted to see the street re-dedicated or a formal easement, and Mr. McGarry replied "yes" as if this plat was presented today without access to Wayne Street, he could not recommend approval. Mr. McGarry suggested resolving the fire code issue was the first hurdle to overcome, but the request keeps coming back to the Commission without resolution.
- Mr. Kappers commented that he continues to be concerned about the use of the condominium common spaces for access, and he does not know who has the authority to give access and asked to have authority reviewed as he understands the common areas are for the specific use of the condo owners, their guests and invitees.
- Mr. Davis commented that the Director of Law addressed that by indicating the Commission should look at the request based on the merits of the application based on City controls of zoning and subdivision regulations, and if the property owners do not believe they have given authority to Mr. Hawk to make commitments, that is something they need to look at other recourses to address with Mr. Hawk.
- Mr. McGarry asked if a HOA is the same as a condo. Mr. Kappers replied that a HOA is the owners of real property associated with a condo regime, and a COA is owners with an ownership interest in the common area and an owner is automatically a member.
- Mr. Kappers commented that the condo owners exist as filed with the State, but he does not know if there has ever been another meeting of the HOA or actions taken, or the divesting of interest in the HOA took place in the seven-year period from starting as it was supposed to.

Comments of residents of Villages of Concord:

- -Mr. Baynes, 1465 Lantern Lane, commented that things are coming up now as Mr. Hawk has short cut a lot of different things, Mr. Hawk now wants to do something else that is the easy way and forget all of the other owners.
- -Mr. Kappers asked the owners if there had been a meeting of the Association.
- -Shirley Baynes, 1465 Lantern Lane, replied that they do not get information from Mr. Hawk about what could be done, they tried to change to a HOA and Mr. Hawk would not talk to them about the differences in the agreement. She said she has been a property owner for eight years.
- -Mr. Kappers asked the residents if they had ever elected officers, and was told no. Mr. Kappers asked if they had been notified of a meeting and was told no.
- -Mr. Baynes said Mr. Hawk is the President, his wife is the second person, never a third member on the board, the property owners would be happy to talk to Mr. Hawk, but do not get the opportunity.
- -Florence Mutchler, 1323 Paul Revere Way commented that she has lived at her residence for 10 years and has had to do nothing but complain to get things done, she thanked City staff for trying to help her, she pays for mowing and yard work and snow removal and still has to pay \$150 to get these things done, she has attended every meeting notified of and Mr. Hawk elects himself, they do not follow procedures to elect officers, they talk but do nothing.
- -David Klinger 1326 Paul Revere Way, commented that he moved into a new house in October that is 150' from the entry gate, he did not have to install sprinklers and does not know why others would have to, he is concerned that if the owners take over, they will have to maintain the streets, and he does not understand all the procedures.
- -Mr. Kappers responded that the area is now private and the condo association has the responsibility to maintain the roads and common areas
- -Mr. Klinger stated he does not have a condo but has abided by the condo rules since moving in; residents have asked for financial reports from Mr. Hawk but do not receive information; residents do not know if Mr. Hawk pays the same monthly amount they do for the houses he owns; and he had difficulty with financing as the bank did not recognize him as having a condo.
- -Mr. McGarry asked how Mr. Klinger got a permit to build as he does not have access and is concerned as to how he has access to anything once he gets into his house. Mr. McGarry suggested that if this came before the City and there was no access, the permit would probably not be approved. Mr. McGarry commented he would like to see this issue squared away for this property.

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Mr. Titterington commented that the city has heard a lot of complaints over the years, as this is a private development and supposedly, an HOA; it does not come to the Commission if the developer has met all the requirements of the code. As the Director of Law has advised that he cannot advise on a legal matter between the owners and developer the Commission has to look at the Codes and if there is a cul-de-sac with more than 30 homes, the homes have to have residential sprinkling.

Mr. McGarry stated his concern of making a determination without the access easement resolved, as he does not feel what is submitted meets City regulations. Mr. Davis commented that requirements are met as long as the homes are residentially sprinklered. Mr. McGarry asked if the City normally has long streets and requires sprinklers, and Mr. Titterington commented that the sprinkling is another legal alternative. Mr. McGarry stated he would feel more comfortable with an access easement in hand. Mr. Kappers stated that easement would be across vacated Oakmont and all the private streets.

Mayor Beamish stated the issue is cloudy. A motion was made by Mayor Beamish, seconded by Mr. Titterington to table the preliminary plan application for Villages of Concord and would like to know if the Director of Law and the Fire Chief could attend a meeting to provide more clarification.

MOTION PASSED, UNANIMOU VOTE – TABLED.

Mr. Kappers asked that the neighbors also be re-notified.

HALIFAX ESTATES SUBDIVISION. APPLICATION FOR MINOR AMENDMENT TO THE PRELIMINARY PLAN AND APPLICATION FOR FINAL PLAT OF HALIFAX ESTATES, SECTION 5 AND DEDICATION OF RIGHT-OF-WAY; OWNER- HALIFAX LAND COMPANY, LLC; APPLICANT – FRANK HARLOW.

REMOVE FROM TABLE. A motion was made by Mrs. Mahan, seconded by Mrs. Snee, to remove Halifax Estates Subdivision from the table.

MOTION PASSED, UNANAIMOUS VOTE

MINOR AMENDMENT TO PRELIMINARY PLAN. Staff commented: the Preliminary Plan was approved in 2014; the City Engineer requested the developer to remove the connection of Cole Harbor Drive to DeWeese Road in the NE corner of the subdivision by replacing the connection with a cul-de-sac; this would have Lacewood Ct. be extended to Halifax Drive, which connects to DeWeese Road, with the extension of Lacewood Ct. eliminating two cul-de-sacs and improve traffic safety along DeWeese Road; the developer wishes to make the requested change which staff considers to be minor amendment to the Preliminary Plan.

A motion was made by Mr. McGarry, seconded by Mr. Wolke, to approve the amendment to the Preliminary Plan of Halifax Estates

Subdivision to eliminate a non-standard intersection at DeWeese Road and Cole Harbor Drive.

MOTION PASSED, UNANIMOUS VOTE

FINAL PLAT OF SECTION 5 OF THE HALIFAX ESTATES SUBDIVISION, RIGHT-OF-WAY DEDICATION. Staff reported: the Final Plat is in general conformance with the amended Preliminary Plan approved by the Planning Commission; details are

- Section Five consists of 23.161 acres.
- There will be 20 building lots on 21.011 acres;
- Includes dedication of 2.150 acres of right-of-way (Sullivan Pond Court, Cole Harbor Drive, and Lacewood Court); and
- The zoning is R-1, Single-Family Residence District, with a minimum lot size of 40,000 square feet, with actual lot sizes ranging from 40,075 square feet to 65,209 square feet;
- Fees-in-lieu of dedicated green space have been accepted for this development and are being collected with each new housing permit.

Staff recommended approval.

A motion was made by Mr. McGarry, seconded by Mr. Wolke, to recommend to Troy City Council that the final plat of Halifax Estates

Subdivision Section 5 be approved, including the dedication of right-of-way.

MOTION PASSED, UNANIMOUS VOTE

VILLAS OF HALIFAX PLANNED DEVELOPMENT, FINAL DEVELOPMENT PLAN, APPLICATION FOR FINAL RECORD PLAN;
OWNER - HALIFAX LAND COMPANY; APPLICANT - FRANK HARLOW; LOCATED EAST AND WEST OF PIQUA-TROY ROAD,

FINAL DEVELOPMENT PLAN

Staff reported.

- This is a development of 107.171 acres; there are three steps for Planned Development;
- The first is the General Plan, which was previously approved by the Planning Commission and Council.
- The second is the Final Development Plan, which only requires review and approval by the Planning Commission.
- The third is the Final Record Plan, which requires the review and approval of the Planning Commission, and then the review and approval by City Council.
- . As the final Development Plan for the Villas of Hallfax PD conforms to the approved General Plan, staff recommends approval.

In response to Mr. Kappers, Mr. Davis commented that the Final Development Plan actually conforms to the amended plan, and any future changes proposed by the developer would have to come back to the Commission.

A motion was made by Mrs. Snee seconded by Mr. Wolke, to approve the Final Development Plan for the Villas of Halifax PD as submitted, including the Cole Drive/DeWeese Road amending approved at this meeting.

MOTION PASSED, UNANIMOUS VOTE

FINAL RECORD PLAN.

Staff recommends that the Final Record Plan for the Villas of Halifax PD be approved as the Final Record Plan conforms to the approved General Plan and Final Development Plan.

A motion was made by Mr. Titterington, seconded by Mrs. Mahan, to recommend to Troy City Council that the Final Record Plan of the Villas of Halifax PD be approved as submitted, as the Final Record Plan conforms to the approved General Plan and Final Development Plan and based on the recommendation of staff.

MOTION PASSED. UNANIMOUS VOTE

HISTORIC DISTRICT APPLICATION, 214 W. MAIN STREET FOR THREE ALTERATIONS TO THE BUILDING: OWNER – KEYSTONE REAL ESTATE GROUP, LTD, APPLICANT – THE TABERNACLE BREWING CO. The applicant was present. Staff commented: property is zoned B-2, General Business District; was constructed as the First Evangelical Lutheran Church in 1912; in 2016, the building was purchased by Keystone Real Estate Group, Ltd., and continued use as a church; will now become the home of Moeller Brew House, and is currently undergoing renovations in preparation for the opening; applicant has made three requests:

- Removal of the deteriorated storms windows over the stained glass windows on the front of the building, which will be replaced with clear class storm windows over the outside of the stained glass windows.
 - Staff reported that the clear glass storm window would have trim that replicates the trim of the architecture of the stained glass window. The trim of the storm window will be color matched to the existing, light ivory trim cover. Staff recommends approval based on the findings of:
 - The installation of the clear glass window does not violate the United States Secretary of the Interior Standards for the Treatment of Historic Properties.
 - The installation of the clear glass storm window will allow the existing stained glass windows to be seen from the exterior.
 - The proposed clear glass storm windows meet all City of Troy regulations.

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Anthony Scott, Fairway Drive, stated that the stained glass would stay, be repaired in place, and then covered with clear glass to help protect the stained class.

A motion was made by Mayor Beamlsh, seconded by Mrs. Mahan, to approve the Historic District Application for the removal of the deteriorated storm windows and replacing them with clear glass storm windows at 214 W. Main Street as submitted, and based on the findings of staff that:

- . The installation of the clear glass window does not violate the United States Secretary of the Interior Standards for the Treatment
- The installation of the clear glass storm window will allow the existing stained glass windows to be seen from the exterior.
- The proposed clear glass storm windows meet all City of Troy regulations. MOTION PASSED, UNANIMOUS VOTE
- 2. Installation of a wall sign, two chicken logos on the front doors, and a weathervane on the peak of the roof. Staff reported that the applicant is permitted a total of 60 square feet of signage and the total requested signage is 51 squarefeet; the "MOELLER BREW HOUSE" sign is 32.25 square feet and will be laser cut, offset lettering in matte black metal; the two (2) chicken logos will be 6.25 square feet each, made of vinyl, and will be light ivory in color to match the trim on the clear glass storm window; the weathervane will 6.25 square feet and will be laser cut, matte black metal; and staff recommends approval of the proposed signs, based on the following:
 - The signs meet the City of Troy Sign Code regulations.
 - . The signs will not detract from the historic integrity of the building.

The Commission asked about the significance of the roosters and was told it was part of the Maria Stein location and the weathervane is part of the sign.

A motion was made by Mr. Wolke, seconded by Mrs. Snee to approve the Historic District Application for the signage at 214 W. Main Street as submitted, and based on the findings of staff that:

- . The signs meet the City of Troy Sign Code regulations.
- The signs will not detract from the historic integrity of thebuilding MOTION PASSED, UNANIMOUS VOTE
- 3. Painting of the lower third of the front of the building.

Staff reported that applicant is requesting to paint the front, lower one-third of the building: the color will be a light ivory; there is no color number at this time; the applicant has stated that the paint color will be matched to the trim of the existing architecture of the stained glass window; but is unable to match the color until the old storm windows are removed. Staff further reported that the United States Secretary of the Interior Standards for the Treatment of Historic Properties states that unpainted brick on a historic building should not be painted. However, these standards are guidelines but not a requirement. Each case should be based upon its own merits due to the circumstances of each project. Staff did not provide a recommendation.

A motion was made by Mr. McGarry, seconded by Mrs. Snee, to approve the Historic District application for painting the lower third of the front of the building based on the application. MOTION PASSED, UNANIMOUS VOTE

HISTORIC DISTRICT APPLICATION. 305 PUBLIC SQUARE SE (DYE BUILDING) FOR A WINDOW SIGN; OWNER- STEMELCAR, LLC; APPLICANT: ROBERT BURNETTE, OUTLOOK FINANCIAL CENTER. Staff reported: property is zoned B-3, Central Business District; the building is commonly known as the Dye Building; the applicant is on the second floor; applicant is allowed 25 square feet for signage and is applying for 4.88 square feet; window sign will be a clear, vinyl decal with white lettering; and staff recommends approval based on the findings of

- The proposed sign will meet all City of Troy sign code requirements;
- The proposed sign will not detract from the historic integrity of the building;

The applicant was present. The Commission viewed samples of the material and white lettering.

A motion was made by Mr. Wolke, seconded by Mayor Beamish, to approve the historic district application for 305 Public Square SE as Submitted, based on the exact design in the application and the samples viewed by the Commission, and based on the findings of staff that:

- · The proposed sign will meet all City of Troy sign code requirements;
- MOTION PASSED, UNANIMOUS VOTE . The proposed sign will not detract from the historic integrity of the building:

FINAL PLAT APPROVAL AND DEDICATION OF RIGHT-OF-WAY FOR HERITAGE OF THE TROY COUNTRY CLUB SUBDIVISION, OWNER: 3 GEN D. LLC: APPLICANT: BART DENLINGER. Staff reported: plat is generally located north of the Creekwood Subdivision: details are

- This plat will have only one section of 24.926 acres;
- ts on 19,287 acres;
- There will be 29 building lots on 19,287 acres; Includes dedication of 2,976 acres of new right-of-way of two cul-de-sacs (Duke Court & Robinson Way) which stem off the main road
- named Creekwood Drive, and existing street right-of-way of 0.516 acres.

 The zoning is R-3, Single-Family Residential District, with a minimum lot size of 15,000 square feet, with actual lot sizes rangin 15,376 square feet to 54,580 square feet, and one developed tot of 6.177 acres.

 Fees-in-tieu of dedicated green space have been accepted for this development and will be collected with each new housing permit. um lot size of 15,000 square feet, with actual lot sizes ranging from

A motion was made by Mr. Titterington, seconded by Mrs. Mahan, to recommend to the Troy City Council that the final plat of the Heritage of the Troy Country Club Subdivision, be approved, including the dedication of right-of-way. MOTION PASSED, UNANIMOUS VOTE

FINAL PLAT APPROVAL AND DEDICATION OF RIGHT-OF-WAY FOR THE RESERVE AT WASHINGTON SUBDIVISION, SECTION ONE; OWNER: BARBARA ERNST WILSON; APPLICANT; CHOICE ONE ENGINEERING. Staff reported: location is on the east side of Washington Road near the McCurdy Road intersection; final plat is in general conformance with the Preliminary Plan approved by the Planning Commission. Other details reviewed are:

- Section One encompasses 19,0208 acres with 26 building lots on 10,9853 acres, and three open space lots consisting of 5.4569 acres. Includes dedication of 2.5786 acres of right-of-way (New Castle Drive and Chapel Drive);
 The zoning is R-3, Single-Family Residential District, with a minimum lot size of 15,000 square feet, with actual lot sizes ranging from 15,002 square feet to 34,673 square feet.
 Fees-in-lieu of dedicated green space have been accepted for this development and will be collected with each new housing permit.
- Fees-in-lieu of dedicated gre Staff recommends approval.

Mr. Kappers asked if the development is adjacent to Fox Harbor, and asked about stub street into the raw acreage, and was advised that the stub street will be connected to Fox Harbor In future phases

A motion was made by Mr. McGarry, seconded by Mrs. Snee, that the Troy Planning Commission recommends to the Troy City Council that the final plat of the Reserve at Washington, Section One be approved, including the dedication of right-of-way.

MOTION PASSED, UNANIMOUS VOTE

REZONING APPLICATION - FOR 10.284 ACRE PARCEL OF VACANT LAND ON PETERS RD., INLOT 10858 FROM THE ZONING OF COUNTY R-1AAA, ONE-FAMILY RESIDENTIAL, A-1, DOMESTIC AGRICULTURE DISTRICT, AND A-2, GENERAL AGRICULTURE DISTRICT, TO R-4, SINGLE-FAMILY RESIDENTIAL; OWNER: JANE DELCAMP; APPLICANT: BART DENLINGER (3 GEN D. LLC). Staff reported: The land is currently developed with a single-family residence and is located on the east side of Peters Road and north of the proposed The Heritage at Troy Country Club subdivision. The property was recently annexed; the surrounding zoning districts include county zoning A-1 Domestic Agriculture, A-2 General Agriculture, R-1A One Family Residential, and City of Troy Zoning R-3 Single-Family Residential (Exhibit C & D).

DISCUSSION:

The applicant cited that the reason for the proposed rezoning is to develop the property as a subdivision of 22 lots with an average lot size of 17,860

The Zoning Code describes the proposed R-4 zoning district as "designed to accommodate single-family dwellings on lots with areas of at least nine thousand (9,000) square feet per dwelling unit. This district will be mapped to protect areas that now meet these minimum lot sizes and for comparable areas which will develop in the future. The Comprehensive Plan describes the R-4 District as medium to high density."

In accordance with the Thoroughfare Plan, many of the roadways are rural in nature and improvements are needed with some alignments to improve visibility and safety of the motoring public. Even without these improvements, any future residential development on this property can be handled by the current road network.

In reviewing a rezoning proposal, Section 1139.07 outlines the criteria on which to base decisions:

(A) Whether the change in classification would be consistent with the intent and purpose of this Zoning Code.

The proposed rezoning is consistent with the Zoning Code. Section 1131.02(o) & (r) state the purposes of the Zoning Code are to preserve and enhance property value, and direct particular land uses to the parcel of land best suited for them. The proposed rezoning request achieves these purposes.

(B) Whether the proposed amendment is made necessary because of changed or changing conditions in the area affected, and, if so, the nature of such

changed or changing conditions.

The proposed rezoning is not made necessary because of changing conditions in the affected area. The proposed use will not have any adverse effects in the area and is similar to the residential uses that currently exist in the surrounding area.

(C) Whether the uses that would be permitted on the property if it were reclassified would be compatible with the uses permitted on other property in the

immediate vicinity

immediate violatly.

The proposed use is compatible and similar to the residential uses that currently exist in the surrounding area.

(D) Whether adequate utility, sewer, and water facilities, and all other needed public services exist or can be provided to serve the uses that would be permitted on a property if it were reclassified.

permitted on a property in twere recisesured.

All utilities can be provided.

(E) The amount of vecant land that currently has the same zoning classification as is proposed for the subject property, particularly in the vicinity of the subject property, and any special circumstances, in any, that make a substantial part of such vacant land unavailable for development.

In the vicinity of the subject property, there is no available vacant land with the R-4 zoning classification that is suitable for development due to flood plain

(F) Whether the proposed amendment would correct an error in the application of this Zoning Code as applied to the subject property. Not applicable in this request

Mr. Kappers noted that the application does not show consent of the owner and asked that be provided prior to Council considering this, if recommended, and that future rezoning applications not be presented without the written consent of the property owner.

Staff did not recommend a public hearing and recommends approve of the application based on the findings of:

- o The proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code; and
- The proposed rezoning is consistent with the surrounding zoning districts; and
- The proposed rezoning is consistent with the City of Troy Comprehensive Plan.

A motion was made by Mr. Wolke, seconded by Mr. Titterington, that the Commission not hold a public hearing on the request to rezone the 10.384 acre parcel of vacant land on Peters Rd., from the County zonings of R-1AAA, One-family Residential, A-1, Domestic Agriculture District, and A-2, General Agriculture District, to R-4, Single-family residential district. MOTION PASSED, UNANIMOUS VOTE

RECOMMENDATION:

A motion was made by Mr. Kappers, seconded by Mr. Titterington, to recommend to Troy City Council that the 10.284 acre parcel of vacant land on Peters Rd., IL 10858, from the Zoning of County R-1AAA, One-family Residential, A-1, Domestic Agriculture District, and A-2, General Agriculture District to R-4, Single-family Residential District, subject to the application being signed by the property owner, and based on the findings of staff that:

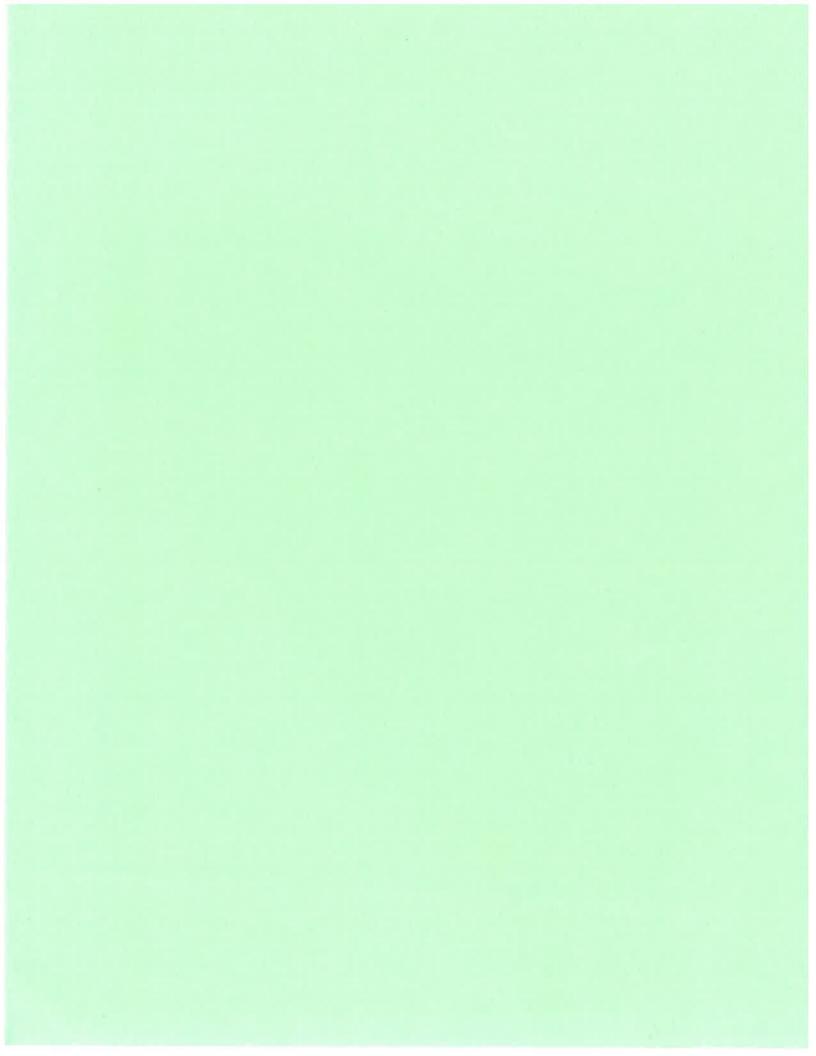
- o The proposed rezoning is consistent with the Intent and purposes of the City of Troy Zoning Code; and
- o The proposed rezoning is consistent with the surrounding zoning districts; and
- The proposed rezoning is consistent with the City of Troy Comprehensive Plan. MOTION PASSED, UNANIMOUS VOTE

CONSIDERATION OF PROPOSAL TO AUTHORIZE CONSULTANT YARD & COMPANY TO WORK WITH THE COMMISSION REGARDING HISTORIC DISTRICT APPLICATIONS, INCLUDING A TWO-HOUR WORK SESSION WITH THE COMMISSION. Commission has had discussions about not having specific guidelines when reviewing aspects of historic district applications. Mr. Kappers noted that guidelines are something he has talked about. Mr. McGarry asked staff to prepare list of the type of questions the Commission has asked in the past for clarification and send that to the Commission and then the members can determine should be added. Mrs. Snee commented that the Commission has seen reuse of historic properties and applications for signs and colors because of the changing reuse of historic properties, and she believes some guidelines would provide assistance. Mr. Kappers noted it would be good to have recommendations on how the Commission may act in the future, but those would be guidelines and not mandated. A motion was made by Mrs. Mahan, seconded by Mrs. Snee, to work with the MOTION PASSED, UNANIMOUS VOTE.

Mr. Kappers noted that any workshop would be set later.

There being no further business, the meeting adjourned at 4:39 p.m.

Respectfully submitted,	
	Chairman
	Secretary



TO: Troy Planning Commission

FROM: Robert Watson DATE: March 27, 2019

SUBJECT: Historic District Review: 126 S. Plum St.

CASE #: HR-9-19

OWNER: Terry & Kathy Smith

APPLICANT: Matthew Denius, Owner

INTRODUCTION:

Applicant Mathew Denius, the new owner of 126 S. Plum St., is requesting the Planning Commission to review an application for repainting the exterior of the property. The property is zoned R-5 Single Family Residential in the Historic District.

BACKGROUND:

The OHI form describes the property as a 1911 built by Albert Thackara. A two and a half story vernacular frame residence, with original 1/1 windows, shaped trim and a front door with a large glass insert. This property is not on the National Register.

PROPOSAL:

The request is for the painting of the exterior of the residence which is peeling, the existing color is a lighter blueish color with the trim in off-white and the decorative shaped trim in a reddish color. The proposed colors provided by the owner are all from the Sherwin Williams, Historical Collection. The main exterior walls will be in SW0077 – Classic French Gray, with the main trim in SW7005 – Pure White, the decorative/shaped trim in SW 6258 – Tricorn Black, and the front door in SW 2831 – Classical Gold. The applicant has provided examples of existing homes in Troy with similar paint schemes and examples of what the door would look like painted. (Attached).

DISCUSSION:

This application has been reviewed for compliance with all requirements of the zoning code except for the additional design standards imposed by the historic district. The property owner is requesting this as a part of their renovations once the purchase of the property is complete.

RECOMMENDATION:

Staff recommends approving the proposed plan, based on the following:

- The proposed alteration does not detract from the historic integrity of the building;
- The proposed colors are in keeping with the existing color of the building.
- The proposed also will provide need maintenance to the property.

Planning Commission Historic District Application

PLANNING COMMISSION RESULTS (OFFICE USE ONLY):

Revised 03/03/15

Date Filed:	
Case #:	
Date of Meeting:	

CITY OF TROY PLANNING COMMISSION APPLICATION FOR HISTORICAL TROY ARCHITECTURAL DISTRICT

(Must be typed or printed legibly)

(PLEASE READ INSTRUCTIONS CAREFULLY BEFORE COMPLETING FORM)

Date Mar. 18, 2019							
Applicant Matthew Denius (future owner) Telephone No. (937) 524-8403							
Applicant Mathew Denius (future owner) Telephone No. (937) 524-8403 Owner of Property Terry & Kathy Smith (current owner) Has the Owner been Notified? Yes.							
Address of Project 126 S. Plum St., Tray							
Contact Address (if different than Project Address)							
Name of Architect/Engineer and/or Contractor							
Application for renovation to include the following:							
Alteration	[] Repair						
Construction	Demolish – Principal Structure						
Moving A Building	Demolish – Accessory Structure						
Painting	Other:						
ONE (1) COPY OF INFORMATION TO BE SUPPLIED BY APPLICANT: (a) Site Plan drawn to scale shall be provided showing structure in question & its relationship to adjacent structures. (b) Description of proposed use, if different than existing use. (c) Plans illustrating the proposed structural or exterior changes, including changes in parking facilities, landscaping, screening, fences, signs and other relevant structures and fixtures, and relationship to surrounding structures. (d) Description and samples of materials proposed to be used in the project. (e) Paint samples for painting applications. (f) Any other photographs or illustrative visual aids and/or materials relevant to the project. (g) A written letter from the owner acknowledging the application, or a printed signature from the property owner on this form. SIGNATURE OF APPLICANT: PRINTED NAME OF PROPERTY OWNER:							

OHIO HISTORIC INVENTORY

1985 Velma Avenue Columbus, Ohio 43211 614/297-2470



1. No.	2. County Miami		nt Name(s) chael & Ma	rv Jor	nes	House		☐ Coded
3. Location of Negatives	1							- 50000
City of Troy		5. Histori	ic or Other Name(s)				
	cture No.(s)	1	·					
K	31	Alb	ert Thacka	ra Hou	ıse			
6. Specific Address or L	ceation	ale/game/sum	16. Thematic Asso	ociation(s)			28. No. of Stories	
126 S. Plu	ım St						29. Basement?	Yes K
			17. Date(s) or Perio	od	17b	. Alteration Date(s)		No 🖸
6a. Lot, Section or VMD	Number		1911.		1	FT and a part	30. Foundation Ma	
contrary			18. Style or Design High Style Vernacular Flaments			Rock faced conc. blo		
7. City or Village	If Rural, Township	& vicinity	Vernacular Elements 18a. Style of Addition or Element(s)			Wood fra		
8. Site Plan with North	Arrow		N/A	CON OF EIGH	ionita	,	K.	
O. One I half with Profite	Allon Vie	,	19. Architect or E	naineer			32 Roof Type & N int gable	
A) 4	X	El.	13. Author of Engineer			asbestos 33. No. of Bays	shingle	
		137	19a. Design Sources			Front 2	Side 5	
	· (/	1					34. Exterior Wall N	/laterial(s)
	(/)X:		20. Contractor or	Builder			Narrow si	ding
	15 / 10						35. Plan Shape R	ectangular
No.	Mary Contraction		21. Building Type	or Plan			36. Changes	Addition U
,	(J)		N/A	E			(Explain	Altered ☐ Moved ☐
9. U.T.M. Reference			22. Original Use,		. 1		in #42) 37. Window Type(
Quadrangle Name _	7801		Residential 23. Present Use				2 over 2	
	20 4435	ं प्रट		dentia	11			Other 1/1
Language Language Linear Communication Commu	sting North	ing	24. Ownership			Public 🗌	38. Building Dime	nsions 25 x 50
		ture []				Private 🔽	39. Endangered?	Yes 🗆
Building	g 🔀 OS	ject 🗆	25. Owner's Name				By What?	No □
		Yes []	Michael			ones		
		No 🗆	126 S. P	lum St	-		40. Chimney Place	
	print, in the second	Yes L	Troy, OH			Off cente		
Hist. Dist.? No	L Ollow Harman	No 🗆	26. Property Acreage			41. Distance from and		
	d District (N.R. or Local)		27. Other Surveys in Which Included			Frontage on Road		
Troy Historic District N/A				/A			15 x	40
42. Further Description of Important Interior and Exterior Features (Continue on reverse if necessary) Two and a half story vernacular frame residence. CDF: include gable end facing the street; original 1/1 windows with shaped trim; front door with a large glass insert; a porch across the front; stained glass window on the north side; original narrow horizontal siding with cornerboards.								
43. History and Significance (Continue on reverse if necessary)								
Built in 193	11 by Albert	Thack	ara					
					РНОТО			
44. Description of Environment and Outbuildings (See #52)					46. Prepared by			
Small urban setting of closely spaced buildings and					J. Darbee/N. Recchie			
numerous shade trees.				47. Organization				
				F. Conaway & Assoc.				
	WOMEN THE PROPERTY AND ADDRESS OF THE PARTY AN						48. Date Recorde	
45. Sources of Informa								5/97
Field observation					49. Revised by	50a. Date Revised		
City of Troy Miami Co. property records					50b. Reviewed by			
PILOUIL CO.	NICKELLY LUCK	- AL N. S. S. S.					IN TANY LICARDARCH NA	

126 S. Plum St. – Streetscape & Door





126 S. Plum St.



126 S. Plum St - Proposed Paint Colors

Main Exterior Color

SW 0077. Classic French Gray

Alternate Exterior Color

SW 2849 Westchester Gray Subatan Andrew

Main Trim Color

SW 7005 Pure White 255-C1

Decorative/ Shaped Trim



Exterior Front Door Color

SW 2831 Classical Gold I have included photos from homes around Troy that have the same Color scheme that I hould like to paint the house. It will be a newtral gray with white trim and black accents. I would like to have a yellow door in honor of my grand-daughter Sunny and included pictures

of that as well.



E. Franklin St. 1



Pinterest



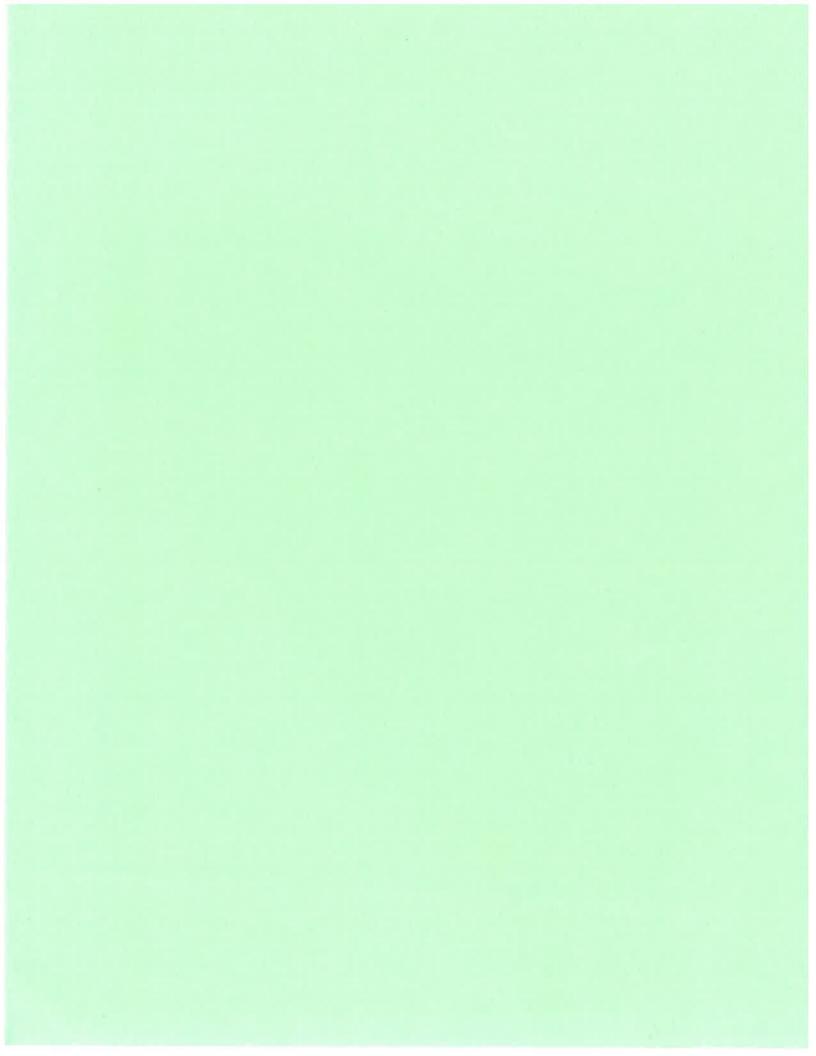
* Ridge Ave.



1- Main St @ Menke Park



Pinterest





MEMORANDUM

TO: Troy Planning Commission

FROM: Robert Watson, Zoning Inspector

DATE: March 27, 2019

Subject: Final Development Plan – 44 Peters Ave, Planned Development

BACKGROUND:

Attached is the Final Development Plan for the proposed Planned Development located at 44 Peters Ave. The Planned Development process requires three steps for approval. The first step is the General Plan, which was previously approved by Planning Commission and City Council. The second step is the Final Development Plan and the third step is the Record Plan.

The Final Development Plan is attached to this report and is in accordance with the approved General Plan that as previously approved by Planning Commission and City Council. The specifics of the Final Development Plan are below.

PROPOSAL:

Layout: The layout includes the current existing building measuring 5,200 square feet of gross floor area located to the north portion of the property. The proposed development contains a new 30 ft. by 220 ft. building, for a total of 6,600 square feet, with vehicular access around the proposed building and additional paved area for outdoor storage to the south. There will be a green space in the south west portion maintained for drainage and additional landscaping along the east and south property lines shown in Exhibit D-4.

<u>Uses:</u> The proposed use for the Planned Development will be for a self-storage facility with outdoor storage as permitted in the M-2 zoning district. Other uses may be allowed as permitted in the M-2 Light Industrial zoning district.

<u>Parking:</u> The development contains 3 parking spaces. The parking area currently has one driveway access onto Peters Road. The proposed parking area meets the zoning code requirements for the number of parking spaces.





<u>Parks & Recreation Facilities:</u> This planned development does not propose any common open space or recreational facilities.

<u>Traffic:</u> The developer provided that at other currently owned storage facilities that only 1-2 vehicles per week access the sites. Higher usage would generally be one per day.

<u>Utilities:</u> This development will be served by existing City water and sewer lines. The plan seeks to mitigate storm water control by utilizing the existing storm sewer system on the property by installing a new section of storm sewer line. Since the project is disturbing less than an acre there is no requirement for a detention basin.

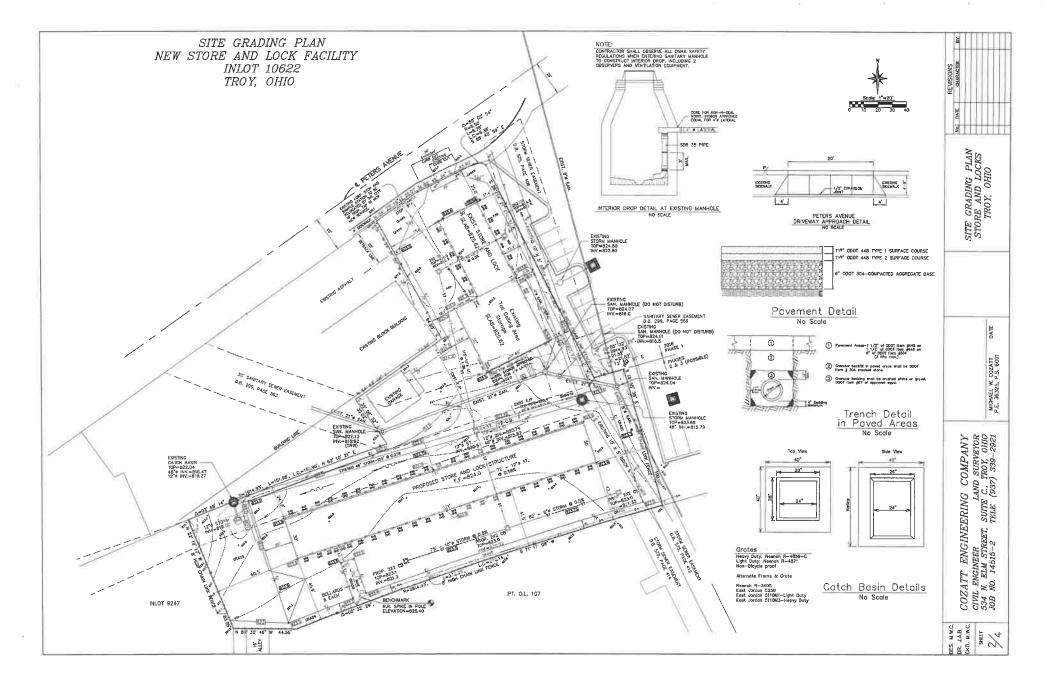
Protective Covenants: Given this site is currently being used for the same use. The applicant doesn't have a need for any extra covenants or restrictions on the property. There are existing easements for the sewer and storm water utilities located on the property. Please see Exhibit D-6 for discussion of covenants, grants, easements and restrictions.

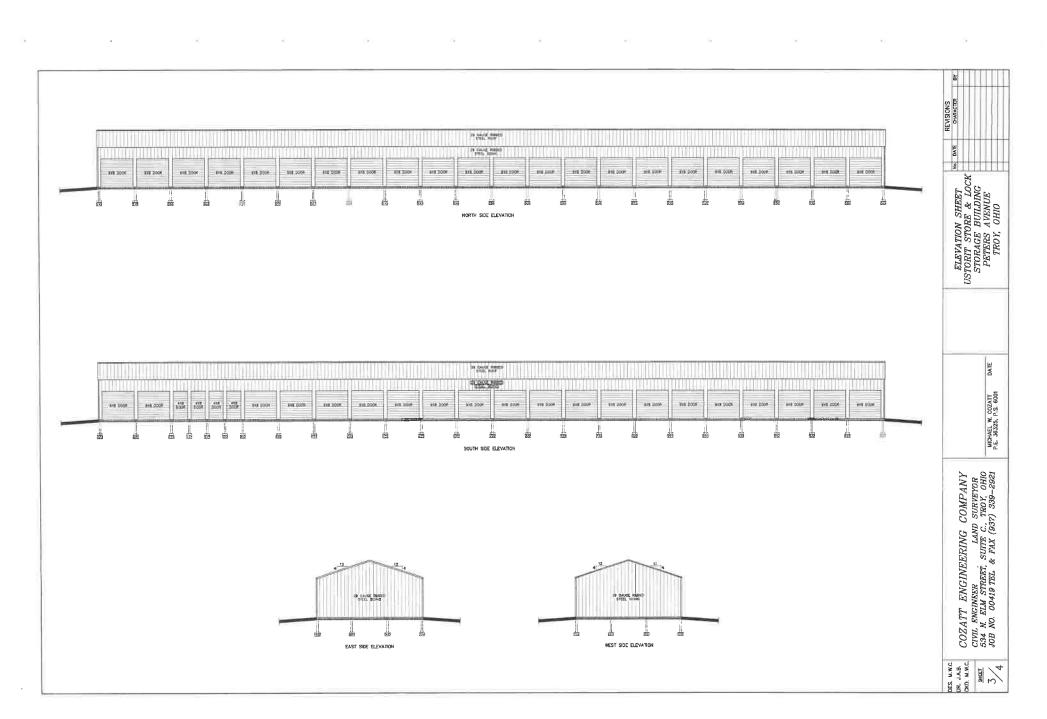
<u>Modifications</u>: There are no needed modifications from the Zoning code requirements for this development outside of the proposed two principle buildings on the lot.

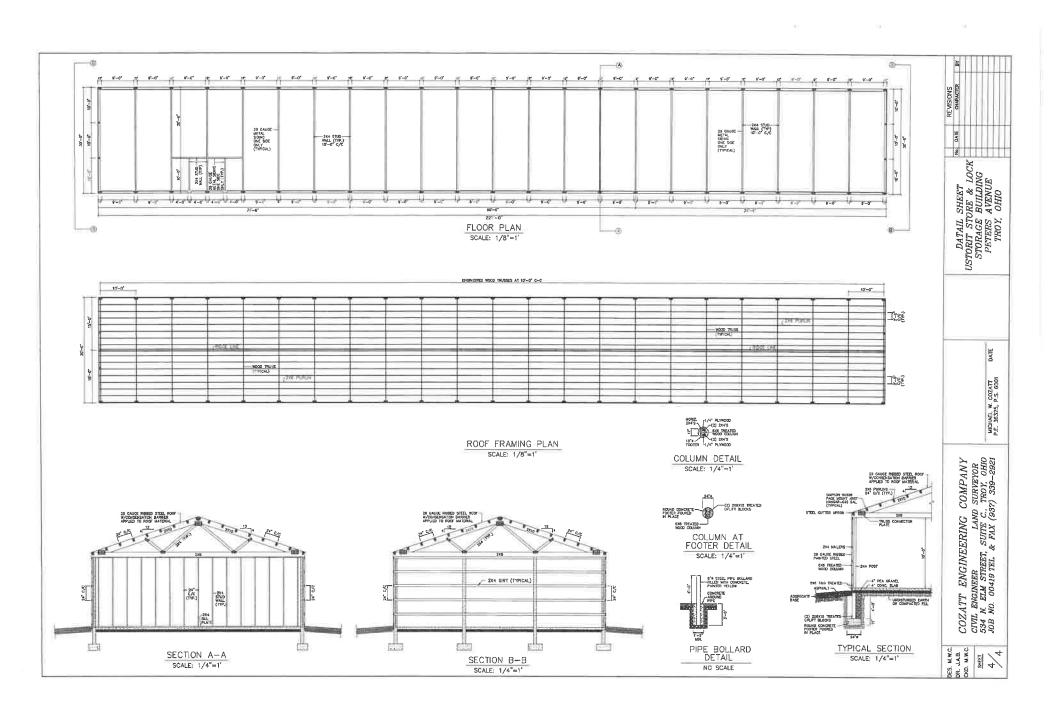
<u>Comprehensive Plan Compliance:</u> The Troy Comprehensive Plan indicates the proposed area to be developed as commercial and industrial use according to the Future Land Use Map. The property is currently used as an industrial use and this expansion would be in compliance with the comprehensive plan.

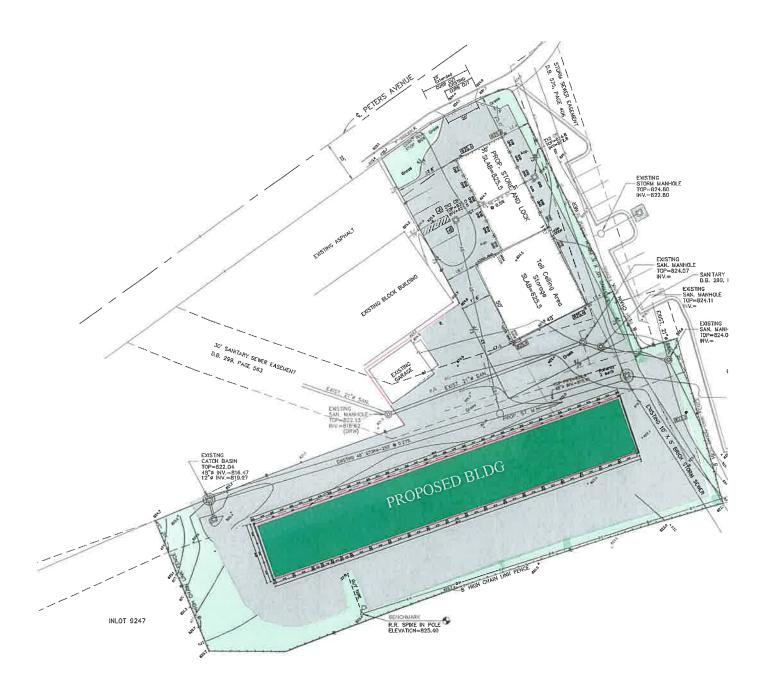
REQUESTED ACTION:

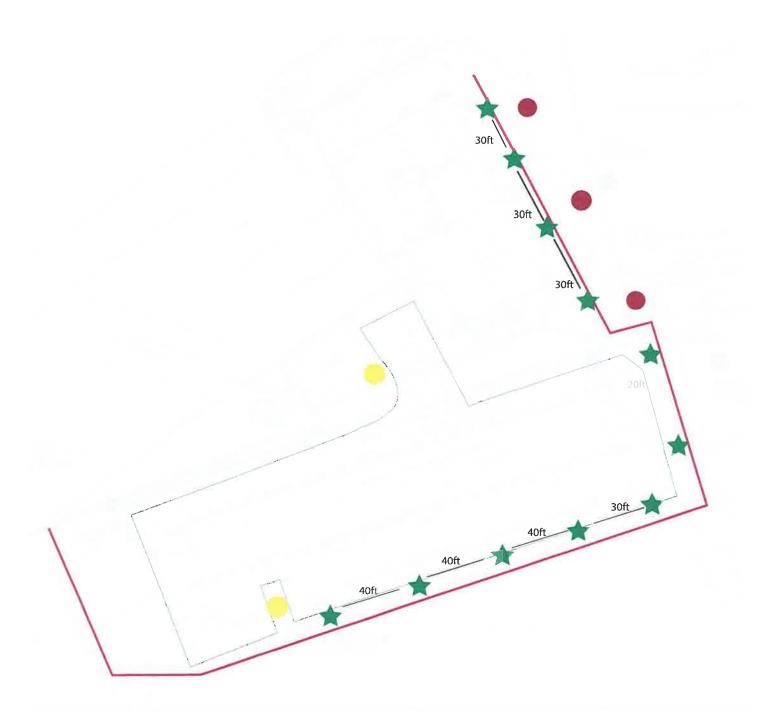
Staff is requesting that Planning Commission approve the Final Development Plan.











Dwarf Alberta Spruce / Arborvitae
 Mature Height 6-8 feet
 Mature Width 4-5 feet



Existing trees on Walgreens Property





MEMORANDUM

TO: Troy Planning Commission

FROM: Robert Watson, Zoning Inspector

DATE: March 27, 2019

Subject: Record Plan – 44 Peters Ave, Planned Development

BACKGROUND:

Attached is a copy of the Record Plan for the Planned Development located at 44 Peters Ave. The planned development process requires three steps for approval. The first step is the General Plan, which was previously approved by Planning Commission and City Council. The second step is the Final Development Plan and the final step approval of the Record Plan by the planning Commission and City Council.

PROPOSAL:

The proposed Record Plan is attached to this report and is in accordance with the General Plan and Final Development Plan.

REQUESTED ACTION:

Staff is requesting that Planning Commission recommend approval of the Record plan to City Council.



USTORIT STORE AND LOCK STORAGE BUILDING

INLOT 10622 44 PETERS AVENUE, CITY OF TROY, MIAMI COUNTY, OHIO

INDEX OF SHEETS

DETAIL SHEET,....

CODE COMPLIANCE NOTES

SEISMIC LOADING: ANALYSIS PROCEDURE—SIMPLE ANALYTICAL PROCEDURE SEISMIC USE GROUP — 1 SEISMIC DESIGN CATEGORY — B

SEISMIC DESIGN CARDORY — B
STIT CLASS — D
BASIC STRUCTURAL & SESMIC RESISTING SYSTEM — WOOD FRAMED BEARING WALLS WITH BRACING
SPECTRAL RESPONSE ACCELERATION — 1 SECOND PERIODS (\$_1) ==0.002
SPECTRAL RESPONSE ACCELERATION — SHORT PERIODS (\$_5) = 0.29

ALL SITE CONSTRUCTION SHALL BE COMPLETED ACCORDING TO CITY OF TROY STANDARD SPECIFICATIONS

APPROVED: _

CITY OF TROY ENGINEER

Underground Utilities 2 VORKING DAYS BEFORE YOU DIG

CALL TOLL FRED 800-362-2764 DATE UTILITY PROTECTION SERVICE NON-MEMBERS MUST BE CALLED DIRECTLY

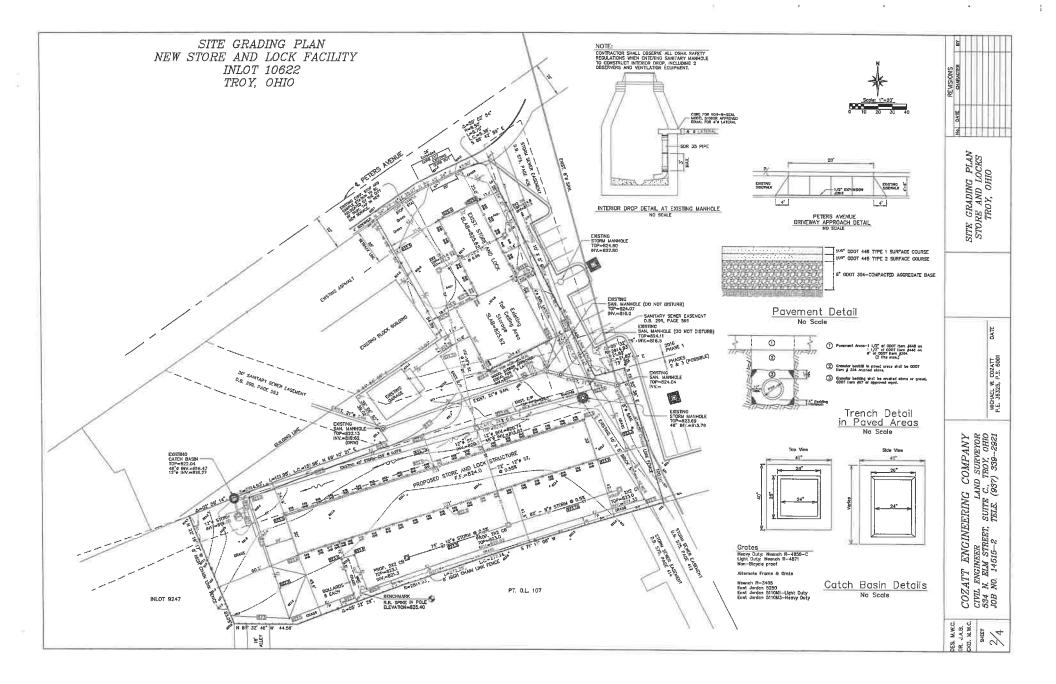
COZATT ENGINEERING COMPANY CIVIL ENGINEER LAND SURVEYOR 534 N. ELM STREET, SUITE C., TROY, OHIO JOB NO. 00419 TEL & FAX (937) 339-2921

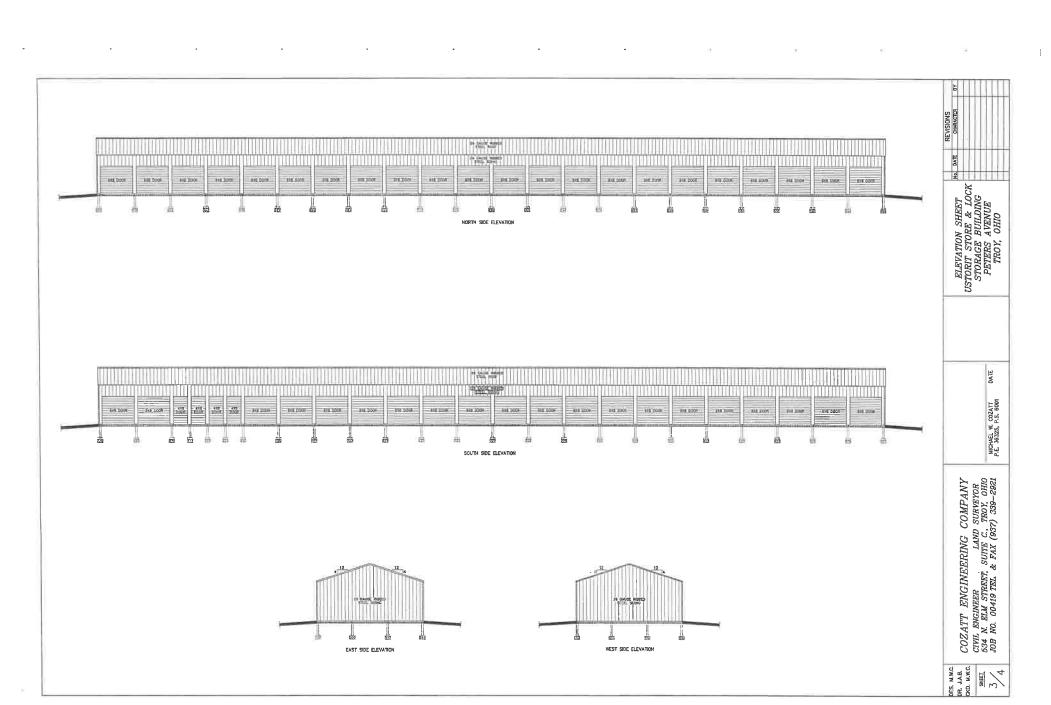
TITLE SHEET U-STOR-IT STORE AND LOCKS TROY, OHIO

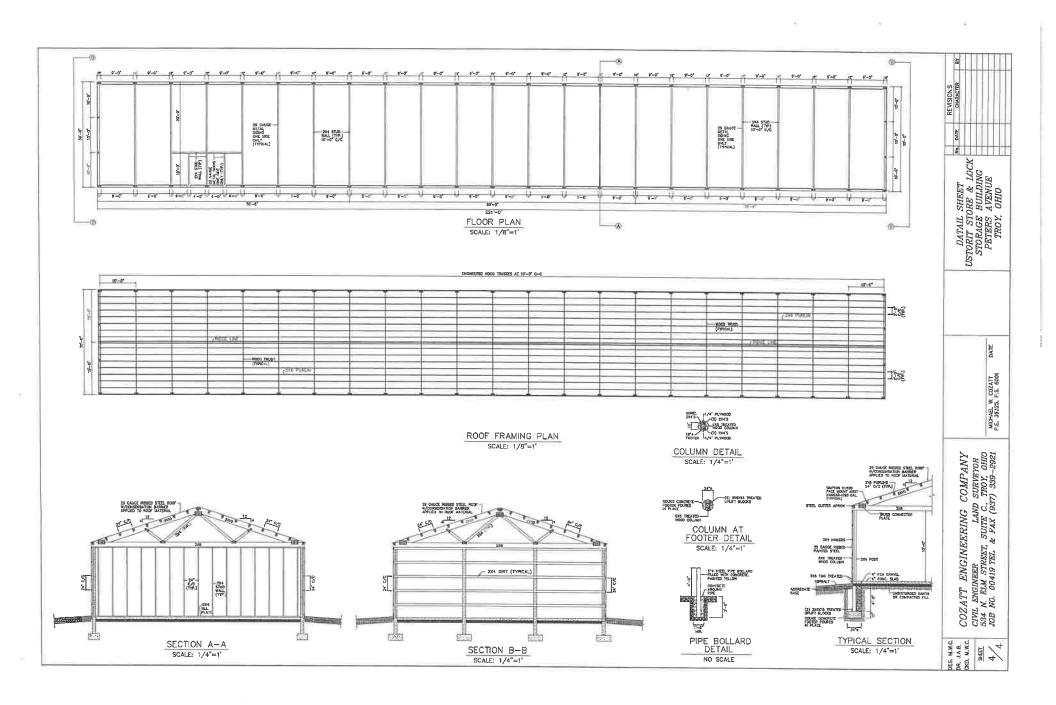
DATE

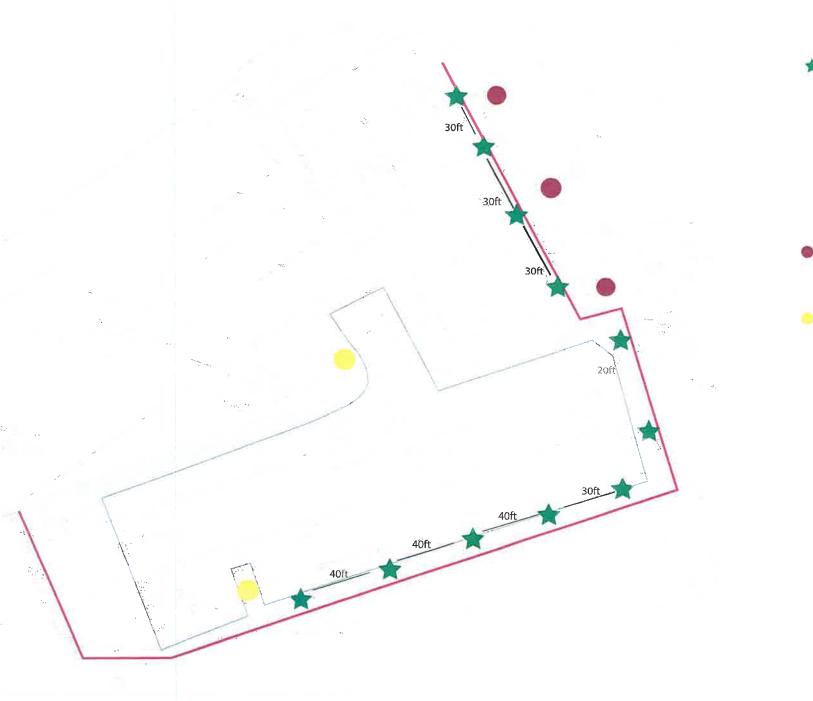
MICHAEL W. COZATT P.E. 36325, P.S. 6001

DES. M.W.C.
DR. J.A.B.
CKD. M.W.C.
SHEET









Dwarf Alberta Spruce / Arborvitae
 Mature Height 6-8 feet
 Mature Width 4-5 feet



Existing trees on Walgreens Property

Smaller Decortive Plants and shrubs